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C O N F I D E N T I A L SECTION 01 OF 02 CANBERRA 001603

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SUBJECT: AUSTRALIAN IRAQ DEPLOYMENT REQUIREMENTS DEPENDENT
ON ELECTION OUTCOME

REF: STATE 150164

Classified By: Ambassador Robert D. McCallum for reasons 1.4 (b) and (d).

11. (C) Australia's requirements to deploy forces to Iraq following expiry of the MNF-I mandate will depend heavily on which party forms the government following the November 24 election. The Liberal/National Coalition government under Prime Minister John Howard has been solidly behind the mission in Iraq and would likely find it easier to reach a political decision to continue its participation under most scenarios envisioned reftel, but likely would transition its combat role in southern Iraq to a training role in the short term. The opposition Australian Labor Party (ALP) led by Kevin Rudd, on the other hand, has pledged to remove all Australian combat troops from Iraq gradually and in close consultation with the United States, if his party wins the election. Rudd, currently well ahead in the polls, would need political cover in order to move forward with any future deployments, probably including a new Chapter VII UN Security Council resolution. Both parties are likely to prefer to keep Australia forces under U.S. command and under the umbrella of a U.S.-negotiated agreement.

A LIBERAL PARTY GOVERNMENT

12. (C) In the event the Liberal/National Coalition is returned for a fifth term in the November 24 election, we would expect PM Howard to continue his strong, conviction-driven support of the mission in Iraq. Of the scenarios offered reftel, we believe that John Howard would prefer for Australia to act as a full participant in any negotiation and agreement the United States makes with Iraq regarding the continuing presence of troops beyond the lifespan of UNSCRs 1546 and 1723. In this eventuality, a Howard government would likely want to keep its forces under U.S. command. The PM has made clear, however, that he wishes to have combat troops in the Overwatch Battle Group succeeded by military trainers as soon as possible. The decision to join in any U.S. negotiation could be made relatively quickly by the National Security Committee of Cabinet, probably within weeks. As Australia's deployment of troops to Afghanistan and later Iraq was based on the U.S. and Australian September 14, 2001, invocation of the mutual defense provision (Article IV) of the ANZUS Treaty, there are no major legal impediments to continued deployment of troops to Iraq. (see also para 6 on war-making powers.)

13. (C) Howard would likely prefer but not require a generic

United Nations (non-chapter VII) call to support Iraq in order to move forward with post UNSCR troop involvement in Iraq. Despite his strong commitment, however, he likely will follow the lead of the United States, if we commence a drawdown of forces, and to transition the current combat elements to a training role.

A LABOR PARTY GOVERNMENT

14. (C) ALP Leader Rudd has pledged to withdraw the 550 Australian combat troops comprising the Overwatch Battle Group in Southern Iraq in the event of a Labor victory, leaving approximately 1,000 defense force personnel in and around Iraq, including a joint security task force in Baghdad that provides security for the Australian diplomatic mission, Qthat provides security for the Australian diplomatic mission, and naval and air patrols in the Gulf. Rudd has insisted that he would not withdraw Australian combat troops precipitously but gradually and in coordination with the United States and the Iraqi governments. He has indicated he would allow a further six-month rotation, if he should be elected, leaving current troops in place at least until August 2008, and may replace combat forces with trainers and other security personnel.

15. (C) It is unlikely that Rudd would be inclined to support continued deployment of Australian troops to Iraq in the absence of a clear UN Chapter VII mandate and as part of a multi-national force. On the other hand, he is committed to the alliance with the United States, and has committed to maintenance of an expeditionary capability that can assist Australia's allies and the United Nations globally. In the

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event an ALP government can be persuaded to deploy additional forces to Iraq after expiry of the current UNSCs, we believe a Rudd government would accept allowing the U.S. to negotiate an agreement with the Iraqi government on its behalf and would prefer to keep Australian defense forces under U.S. command.

HOW THE DECISION IS MADE

16. (U) War-making powers are not clearly spelled out in the Australian Constitution. In practice, the Prime Minister and Cabinet have assumed that power, including deploying military forces overseas, with discretion to put the issue to Parliament for debate. On matters of great national import a parliamentary vote is usually called, but because the executive is drawn from the majority party or coalition in Parliament, the vote generally would correspond closely to the decision of the National Security Committee of Cabinet.

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